

IN THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ANDEE IRBY, as parent and guardian
to MARILYN PECOS, a minor child,
Plaintiff,

vs

THE UNITED STATES POSTAL SERVICE
Defendant.

COMPLAINT/PETITION FOR APPROVAL OF MINOR'S SETTLEMENT

COMES NOW, Plaintiff Andee Irby and thereby moves this Court for Approval of Minor Settlement reached on behalf of Marilyn Pecos, a minor child.

1. Plaintiff is a resident of the County of Bernalillo, State of New Mexico and brought this action on behalf of her minor child, Marilyn Pecos as a result of a motor vehicle accident which occurred on April 6, 2016.

2. Plaintiff alleges under the Federal Tort Claims Act (28 U.S.C. §§1346(b)) that Marilyn Pecos suffered injuries and damages as a result of Defendant's negligence.

3. The parties have reached a compromised settlement on this claim.

4. The parties agree that this settlement is in the best interest of the minor child.

5. The parties agree that the terms of the settlement are fair and equitable.

6. That settlement funds are for the sole purpose and benefit of the minor child.

WHEREFORE, the parties respectfully pray that this Court set a hearing at which time the court can hear from the parties and approve the settlement benefiting minor child, Marilyn Pecos.

Respectfully submitted,

MARTINEZ, HART, THOMPSON & SANCHEZ, P.C.

/s/ David B. Martinez

David B. Martinez
Attorney for Plaintiff
1801 Rio Grande NW
Albuquerque, New Mexico 87104
505/343-1776
505/344-7709 - FAX

I hereby certify that the foregoing pleading was electronically filed through the Federal Court CM/ECF Filing System this 8th day of June, 2017 and mailed to:

kimberly.a.herbst@usps.gov

Kimberly A. Herbst
United States Postal Service
1720 Market Street, Room 2400
St. Louis, MO 63155-9948

Martinez, Hart, Thompson & Sanchez, P.C.

/s/ David B. Martinez

David B. Martinez